

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: Masaomi TAKAGI et al.

Title: ALUMINUM HOLLOW BENT MEMBER AND VEHICULAR MEMBER CONSTRUCTION

Appl. No.: 09/826,804

Filing Date: 04/06/2001

Examiner: E. Culbreth

Art Unit: 3616

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is being filed after the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application. Accordingly, a statement and fee are required.

RELEVANCE OF EACH DOCUMENT

In a counterpart Japanese application, a Japanese Office Action issued on September 28, 2004. According to an English translation of the Japanese Office Action obtained by Applicants' representative, the Japanese Patent Office made certain characterizations of the references.

According to an English translation of the Japanese Office Action, document A2 (especially Figures 10, 11, 12 and explanation thereof) describes an aluminum hollow bent member, formed by bending a straight hollow member cut into a certain length, of which the thickness along the periphery of cross section is thicker than the other parts. Said straight hollow member is produced by extrusion of molding material 10.

According to an English translation of the Japanese Office Action, document A3 (especially Figure 4 and the explanation thereof) discloses an aluminum hollow member, of which the cross section has a cross-shaped portion inside of the inner periphery. Document A3 (especially Figures 4, 7 and the explanation thereof) describes a vehicular member structure comprising;

a pair of side members 7 and 9 extending substantially in a fore-and-aft direction of a vehicle and spaced apart from each other substantially in a widthwise direction of the vehicle; and

cross members 3 and 5 for connecting the pair of side members;

wherein said side members are hollow members, of which the cross section has a cross-shaped portion inside of the inner periphery. Document A3 (especially Figure 7 and its explanation) teaches a structure, wherein suspension links 23 and 25 are supported by suspension member 1.

According to an English translation of the Japanese Office Action, document A4 (especially Figures 1, 2 and the explanation thereof) describes a vehicular member structure comprising;

a pair of side members 1 extending substantially in a fore-and-aft direction of a vehicle and spaced apart from each other substantially in a widthwise direction of the vehicle; and

cross members 2 and 3 for connecting the pair of side members;

wherein said cross members are hollow members and one of the cross members 2, is produced by extrusion of molding material.

Document A5 discloses production of a hollow member for an automobile structure made of aluminum alloy.

Document A6 discloses a rear swing arm of a motorcycle using a tapered angular pipe member, and the manufacture of the car body tapered angular pipe member.

Document A7 discloses a cradle assembly. Documents A1 and A7 claim priority to the same first-filed application.

As noted, the characterizations of the Japanese Patent Office noted above are based on an English translation obtained by Applicant's representative. The disclosure of these characterizations should not be construed as an admission of or agreement with the opinions expressed in the Japanese Office Action.

English translations of the foreign-language documents are not readily available. However, English language abstracts are provided herewith. Consequently, the foreign language documents have been submitted in compliance with the PTO requirements and, therefore, the document should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement.

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

FEE

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(d) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date October 28, 2004

By Richard L. Schwaab

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U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A2	JP	11-333527	A	NISSAN MOTOR CO., LTD.	12-07-1999		Abst.
	A3	JP	11-192964	A	NISSAN MOTOR CO., LTD.	07-21-1999		Abst.
	A4	JP	11-222152	A	KOBE STEEL LTD.	08-17-1999		Abst.
	A5	JP	8-168814	A	FURUKAWA ELECTRIC CO., LTD., ET AL.	07-02-1996		Abst.
	A6	JP	9-309479	A	HONDA MOTOR CO., LTD.	12-02-1997		Abst.
	A7	JP	10-510777	A	COSWMA INT. INC.	10-20-1998		Abst.

NON-PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.